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ASSISTANCE IN MINE CLEARANCE

Letter dated 22 April 1997 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the updated report on the estimated losses caused by landmines and remnants of war on Libyan territory.

I should be grateful if you would have this report circulated as a document of the General Assembly, under item 41 of the preliminary list of items to be included in the provisional agenda of the fifty-second session of the General Assembly.

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Annex

Updated report on the estimated losses caused by landmines and remnants of war on Libyan territory

Introduction

Whereas many countries only began to be affected by landmines and remnants of war in the mid-1960s, in the Libyan Arab Jamahiriya these problems are not recent. It is well known that the country has been facing them for over 50 years. Not only do they constitute a source of anxiety and an impediment to State efforts to develop the country's extremely limited resources, but they also pose a threat to innocent civilians and a danger to their lives and possessions.

The problem has been exacerbated by the lack of any genuine and effective cooperation on the part of the countries (Germany, Italy and the United Kingdom) responsible for planting the mines and leaving remnants of war on Libyan territory. The defeated Axis Powers claim that they lost much of the relevant data and the maps in the battlefields when they lost the war, and the victorious Allies claim that the theatre of operations occupied by their forces was planted with mines and other remnants of war by the defeated party, and that they have no detailed data.

The difficulties experienced in the search for mines and remnants of war on Libyan territory due to the lack of maps and precise data on location, number and type, in addition to the fact that they are scattered at random over an extensive area, make it hard to give a comprehensive and precise report on the human and material losses caused by landmines and remnants of war in the Libyan Arab Jamahiriya. This is primarily for the following reasons:

Lack of concern for the removal of landmines and remnants of war in the period immediately subsequent to the end of Italian colonialism in Libya. This applied equally during the period of foreign (United Kingdom and France) administration from 1945 to 1951, while the future of the country was determined, and the period from 1952 to 1969, when it would have been more appropriate and less costly to deal with this problem;

Detailed official statistics on the accidents and estimated losses caused by landmines and remnants of war have not been kept. It is therefore not possible to make any exact or comprehensive estimate of their number, particularly since the majority (more than 80 per cent) of these accidents happened during the period from 1940 to 1975, and were registered in police stations, being considered as misdemeanours and felonies rather than as statistics specifically caused by remnants of war.

The theatre of military operations in the war waged between the Axis Powers and the Allies stretched along the Libyan coastline between the border with Egypt to the east and with Tunisia to the west, a distance of approximately 1,900 kilometres. It also extended about 250 kilometres to the south. This

makes any locally resourced operation to locate and destroy remnants of war extremely expensive and almost impossible.

Although special attention has been paid to this issue since the revolution of 1 September 1969, the lack of any data or detailed maps on the minefields and the type and size of the remnants of war from the warring States, combined with the part played by natural geographical factors in obliterating pointers to their location and the scarcity of technical resources and trained national manpower, has prevented any appreciable progress in dealing with landmines and the remnants of war on Libyan territory.

The problem of landmines and remnants of war on Libyan territory is well known at the international level, since it is the result of a world war in which most of the land battles were conducted on Libyan territory. The country therefore not only had the ill fate to be destroyed during military operations, but was also bequeathed a deadly and onerous legacy from those operations, namely, landmines and remnants of war. In recognition of the extensive damages suffered by Libya as a result of the Second World War, the General Assembly of the United Nations, in its resolution 389 (V), instructed the Secretary-General to study the war damages suffered by Libya and to report on the subject to the sixth session of the General Assembly.[1]

Although the aim of producing the above-mentioned report (which was prepared by a United Nations expert) was not to study the problem of landmines and remnants of war and their effect on the future of the country and its development, the references to and preliminary estimates of war damages make it clear beyond any doubt that what was suffered by Libya during the military operations, and the landmines and explosives left by those operations, represented a human and material disaster of incalculable proportions.

It is worth noting here that although the report stressed in paragraph 16 that the estimates of the damages, put at £12.5 million, did not include war damage in the Fezzan region, nor damages to range land caused by the presence of minefields, it also omitted any reference to agricultural and semi-agricultural land. Most of this is situated along the coast, and to a depth of 150 kilometres into the interior. No mention was made of the southern border region, where oil was subsequently discovered, nor of the territorial waters, which were also a theatre for military operations.

A further study, prepared by a high-level group of United Nations experts, on the explosive remnants of conventional war[2] stated that "... in the various North African campaigns during the Second World War, ... the Allied and the Axis forces laid many millions of [mines] ... The estimates vary from some 5 million to as many as 19 million ...". Every study conducted on remnants of war in North Africa has concluded that the Libyan territory situated between Egypt and Tunisia was transformed into a stockpile of deadly and destructive weapons, and that it is difficult to give exact information about those weapons, since the mines cleared by one party to the conflict were re-laid by the other party, making it difficult to give any precise details as to their number and type.

Since 1969 the Libyan authorities have given the problem of landmines and remnants of war the very highest priority at national and international levels,

in view of their correlation to the implementation of development plans, and in order to deal with a source of danger that continues to destroy innocent human lives and cause heavy material losses. The following represent some of the initiatives taken:

1. Since the beginning of the 1970s, intensive bilateral links have been forged with the parties responsible for the laying of the mines and leaving of remnants of war on Libyan territory (Italy, Germany and the United Kingdom) in order to gain detailed information on and maps of the minefields and the types of mines, and to provide technical assistance in locating and disarming the matériel and decontaminating the affected areas. Unfortunately, however, most of these links have proved unproductive, and others have been of only limited value;

2. This issue has been raised in international and regional organizations, including the Movement of Non-Aligned Countries, the Organization of the Islamic Conference and the Organization of African Unity, in order to draw the attention of the international community to the magnitude of the problem. Each of these bodies adopted resolutions and made recommendations supporting the Jamahiriya's just demands and urging the parties concerned to cooperate with a view to resolving the problem;

3. The issue has been brought before the General Assembly of the United Nations, and sessions from 1975 to 1985 have adopted resolutions on it. The United Nations Environment Programme (UNEP) has made a valuable contribution by preparing reports and studies as instructed by the General Assembly. It has also implemented the resolutions adopted by its Governing Council in 1976, 1977, 1981 and 1983. However, these initiatives at the international level have come to a halt, since information which should have been provided by the States concerned has not been forthcoming. The Libyan Arab Jamahiriya was foremost among those providing substantive information on mines and remnants of war on its territory, and their human, environmental and economic effects, in accordance with General Assembly resolution 37/215 adopted on 20 December 1982;

4. The Libyan Arab Jamahiriya, in cooperation with the United Nations Institute for Training and Research (UNITAR), organized a seminar on mines and remnants of war, which was held in Geneva from 28 April to 1 May 1981.[3] The seminar discussed the humanitarian, economic and legal aspects of this issue. Numerous domestic seminars have also been arranged, and broadcast by the local media, with a view to making known the magnitude of the problem;

5. The limited human, technical and material national resources have been concentrated on sweeping areas where mines and remnants of war are known to be present, and where their location has been established by citizens' reports on the accidents they have caused or by companies carrying out development projects. These remnants have been removed and blown up using the local resources of the civil defence units. Teams of Libyan Armed Forces engineers have enclosed mined and semi-mined areas in order to prevent accidents and such reports as were mentioned above. Whenever it was possible, as a general principle, these areas were cordoned off. This has been done with an area of 285,000 square kilometres, which represents about 17 per cent of the area of the

Libyan Arab Jamahiriya. Estimates of the number of mines and unexploded remnants of war inside this cordon vary between 7 and 14 million.

In accordance with General Assembly resolution 48/7 adopted on 19 October 1993, the Libyan Arab Jamahiriya submitted a preliminary study prepared by Libyan experts on estimated losses of lives and property as a result of mines and remnants of war on Libyan territory (A/49/357/Add.1). The same experts have prepared the following further, interim report supplementing the information given in the preliminary study. They used more or less the same methodology in preparing it.

1. Losses of lives

It is not possible to give any precise estimate of the number of those who have been affected by exploding mines and remnants of war. Citizens have not always been able to report every incident, particularly during the period when the country was under foreign military administration, namely, from 1940 to 1952, and when the majority of the incidents took place. This was either due to fear of the authorities or because there were few roads or means of transport, making it difficult to report incidents in remote areas. There was also lack of confidence in the benefit of reporting such incidents and losses. Nevertheless, the number of documented cases registered at police stations between 1940 and the end of 1995 may be broken down as follows:

Table showing the number of people affected by mines and remnants of war

Year	Fatalities	Injured	Total
1940-1952	3 780	3 290	7 070
1952-1975	1 890	1 645	3 535
1975-1995	1 079	161	1 240
Grand total	6 749	5 096	11 845

Rather than using compensation for the dead and injured and the cost of medical treatment for the latter as a basis for calculations, one Libyan economic expert estimated the losses of lives on the basis of the value of the potential savings and investments lost through death or injury, using the following equation:[4]

[Total number of those affected x annual per capita productivity x proportionate yield value of savings or investments x number of years [1940-1995] = 4 billion Libyan dinars]

2. The agricultural sector

The agricultural and range land damaged by the remnants of the Second World War, in particular mines, has not been fully cleared, even though over half a century has passed since the war. According to preliminary studies conducted by Libyan technicians, the areas of mined and semi-mined land can be determined as follows:[5]

- 10,000 square kilometres of mined areas, representing 27 per cent of the area of agricultural land in the Libyan Arab Jamahiriya;

- 25,000 square kilometres of semi-mined areas, representing 68 per cent of the total agricultural land in the Libyan Arab Jamahiriya.

Similarly, according to a study prepared by an expert at the Secretariat for Agriculture and Animal Resources, over the period from 1940 to 1980 losses resulting from the non-exploitation and non-cultivation of such land are estimated as follows:[6]

- Cost of clearing agricultural land: 161.14 million Libyan dinars (LD)

- Non-exploitation of land used for cereal crops: LD 511.47 million

- Non-exploitation of range land: LD 124.55 million

- Damage to wells on range land: LD 0.75 million

- Delay in development plans: LD 325 million

Total LD 1,122.91 million

It should be pointed out that these estimates do not include the subsequent years from 1981 to 1995.

3. Animal resources sector

Published statistics on the losses of animal resources do not represent the actual figure, as the war period produced the greatest number of animal deaths from the remnants of war. Figures for that period, however, cannot be accurately determined. The catastrophe also affected wild animals, such as gazelles, whose numbers diminished in various regions situated inside the "danger zone". On the basis of cases reported to police stations to the end of 1984, the loss of animal resources has been calculated as follows:

1. 75,000 camels;

2. 36,250 sheep;

3. 12,500 goats;

4. 1,250 cattle.

Specialists at the Secretariat for Agriculture and Animal Resources estimated that the loss in 1984 amounted to some LD 30 million. These estimates do not include the return on the cost per head if the amount in question had been invested and interest earned on it.[7] Nor do they include the losses of other animals, such as horses, donkeys and wild animals.

4. The petroleum sector

Petroleum is the main source of revenue in the Libyan Arab Jamahiriya. Unfortunately, however, it was discovered in regions thick with mines and remnants of war centred around the Gulf of Sirte and south of Jabal al-Akhdar. Since explorations began in 1956, this sector has sustained losses through spending on clearing mines and remnants of war. Between 1956 and 1975,[8] these losses amounted to LD 47.3 million, the oil companies having resorted to subcontracting specialist firms to detect, defuse and detonate mines and remnants of war in the concession areas. Hazard pay was also awarded to workers in the petroleum sector. Such expenses were shared equally between the Libyan State and foreign oil companies.

During the subsequent period from 1976 to 1995, the calculable losses reported by only three companies, namely the Arabian Gulf Oil Company, the Libyan Waha (Oasis) Oil Company and Veiba Oil, amounted to LD 9.6 million. The sector sustained total losses of LD 56.9 million (equivalent to US$ 184.8 million).

Experts at the National Oil Corporation estimated that the investment return on such sums would amount to $US 600 million during the first 18 years,[9] whereas on the same basis they can now be estimated (i.e., in 1996) at about US$ 1,500 million (approximately LD 450 million).

5. The communications sector (roads and ports)

The ports sector in the Libyan Arab Jamahiriya suffered the heaviest losses, as the military operations of the belligerent forces during the Second World War targeted Libyan ports. In this sector, the calculated losses comprise only the actual losses incurred as a result of clearing major ports, either with a view to their use in the first few years following the end of the Italian occupation or during the process of expansion which most Libyan ports underwent after 1969. These estimates do not include the losses of port facilities destroyed by mines and remnants of war.

Boats sunk during military operations in the Second World War near Libyan ports continue to constitute a major critical problem, as they could cause disastrous accidents, given that most of them were almost certainly carrying mines and arms. The process of dismantling them, raising them from the sea bed

and disposing of their stores of mines and bombs requires enormous technical and technological capacities and is also extremely costly.

The roads sector has experienced the same problem, both during the maintenance and repair of existing roads and during the laying of new roads. The backbone of the country's land road network is formed by the coastal road and its branch roads, which link all population centres. They were the scene of continuous military operations and therefore became dangerous to use. The cost of clearing mines from them was increased by the delay charges billed by the contracting companies and the bonuses paid to their workers on account of the risks to which they were exposed.

Specialists in the Department of Roads, the General Administration of Ports and Lighthouses and the Central Bank of the Libyan Arab Jamahiriya have estimated the actual losses and lost investment revenue in this sector to the end of 1989 as follows:[10]

1.	Sea-mine clearance	LD 269 million
2.	Road clearance	LD 140 million
3.	Fishing sector	LD 96 million
4.	Clearance of the port of Tripoli	LD 2.5 million
	Total	LD 507.5 million

It should be noted that these estimates do not include the cost of mine clearance from the sites of the man-made river project and the railway project now being implemented.

6. Costs borne directly by the public authorities

Costs defrayed directly from the general budget to cover the daily administrative expenses for the food, fuel, transport and equipment needed by the Explosives Section in the Secretariat of the General People's Committee for Justice and Public Security between 1950 and 1977 amounted to about LD 2,042,221, which is over US$ 6 million. These expenses do not include salaries, allowances, the cost and maintenance of motor vehicles and equipment or compensation for members of the civil defence who suffer accidents while detecting, collecting or detonating mines. Nor does it include the cost of the various surveys carried out by engineering teams from the Armed Forces in areas where repeated mine incidents indicate the need to have such areas surveyed, as well as the need to indicate the minefields in them and collect and detonate any mines which can be detected.

7. Estimates of total material losses in all sectors

1.	Agricultural sector	LD 997.60 million
2.	Animal resources sector (animals, range land and wells on range land)	LD 154 million
3.	Petroleum sector	LD 56.9 million
4.	Communications sector (roads and ports)	LD 507.5 million
5.	Expenses borne by the public authorities (final estimates not determined apart from the administrative costs of civil defence and the Explosives Section)	LD 2.42 million
	Total	LD 2,218.42 million equivalent to US$ 7,312 million

Conclusion

In conjunction with the States concerned, the Libyan Arab Jamahiriya will continue to make all possible efforts to find a final solution to this problem, which has affected the country and its people by causing enormous damage to life and property and has also hampered development plans and doubled the cost of their implementation, as stated in this report. In continuation of these efforts, it would like to emphasize the following:

(a) The need for the parties responsible for laying mines and leaving the remnants from these wars on Libyan territory to fulfil their obligations and declare their readiness to cooperate by furnishing the information, maps and documents in their possession that indicate the location of minefields. They should also declare their readiness to provide the technical and material assistance needed for detection and clearance operations, as well as their readiness to pay compensation for the resulting damage;

(b) The importance of the role which the United Nations can play in contributing to the coordination of activities relating to operations that help to clear mines and remnants of war, particularly activities relating to information and training and the provision of technical advice;

(c) The Libyan Arab Jamahiriya continues to hope that the parties responsible for laying mines and leaving remnants of war on Libyan territory will cooperate, even though their positions are typified by clear double standards and unacceptable discrimination, in that the States concerned have responded in a humanitarian spirit and contributed funds, equipment and experts

with a view to eliminating and clearing mines in other countries facing this same problem,[11] whereas in our case they are procrastinating, offering flimsy pretexts and not cooperating effectively with the Libyan authorities to eliminate a problem which was of their making. It would be fitting for these States to shoulder their legal and moral obligations concerning the mines and remnants of war which they have left on Libyan territory for over half a century;

(d) The demands of the Libyan Arab Jamahiriya concerning mines and remnants of war on its territory are just, resting as they do on legal and moral foundations. The justness of those demands was affirmed by the General Assembly in resolutions 3435 (XXX) of 1975, 35/71 of 1980, 36/188 of 1981, 37/215 of 1982, 38/162 of 1984 and 39/167 of 1985, all of which assert that the responsibility for the removal of remnants of war should be borne by the countries that implanted them. They also support the just demands of the developing countries affected by the implantation of mines and the presence of other remnants of war in their territories for full compensation by the States responsible for the presence of such remnants.

When the problem was presented in a different form on the agenda of the General Assembly as from its forty-eighth session in 1993, resolutions 48/7 of 1993, 49/215 of 1994, 50/82 of 1995 and 51/149 of 1996 were adopted, all of which urge Member States, especially those which have a capacity to do so, to provide assistance to mine-inflicted countries;

(e) All States have examined the report of the Secretary-General contained in document A/49/357 issued on 6 September 1994, which contains details of the quantities of mines dispersed in various States, as well as estimates of the cost of searching for and removing such mines and remnants of war. The estimates of the losses resulting from mines and remnants of war on Libyan territory, where national human and material resources have been depleted for over half a century, are far higher than those made by Libyan experts in this report.

Notes

[1] Report of the Secretary-General on LIBYA: PROBLEM OF WAR DAMAGES (A/2000, 11 December 1951).

[2] Report of the Secretary-General on Problem of remnants of war (A/38/383, 19 October 1983).

[3] Handbook from the symposium organized in Geneva by the United Nations Institute for Training and Research (INSTRAW) in cooperation with the Institute of International Relations in the Libyan Arab Jamahiriya (28 April-1 May 1981).

[4] Study prepared by an expert at the Central Bank of the Libyan Arab Jamahiriya (Nuri Baryun) on estimates of losses as a result of mines (report of the compensation committee for the period of Italian colonization, 1989).

[5] Survey of mined and semi-mined areas in the Libyan Arab Jamahiriya prepared by the engineering department of the Libyan Arab Armed Forces, 1995.

[6] Study prepared by Dr. Khairi al-Sughair, Al-Fatih University, presented to the symposium held in Geneva in 1981.

[7] Ibid.

[8] Report prepared by the Secretariat for Oil, Libyan Arab Jamahiriya, 1976.

[9] Report prepared by the National Oil Corporation, Libyan Arab Jamahiriya, 1989.

[10] Report prepared by the General Organization of Ports and Lighthouses, Libyan Arab Jamahiriya, 1989.

[11] Roberts, Shawn and Williams, Jody, The Enduring Legacy of Land Mines, 1995.

Prepared by the committee on estimates of losses as a result of mines.